

1-1 By: Ellis S.B. No. 1843
1-2 (In the Senate - Filed April 5, 2005; April 7, 2005, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; May 2, 2005, reported favorably, as amended, by the
1-5 following vote: Yeas 5, Nays 0; May 2, 2005, sent to printer.)

1-6 COMMITTEE AMENDMENT NO. 1 By: Gallegos

1-7 Amend S.B. No. 1843, in Section 3836.051, by striking the list of
1-8 initial voting directors (page 3, lines 33-41) and substituting the
1-9 following:

1-10	<u>1</u>	<u>Ha Duong</u>
1-11	<u>2</u>	<u>Haroon R. Shaikh</u>
1-12	<u>3</u>	<u>Shiraz G. Ali</u>
1-13	<u>4</u>	<u>Wea H. Lee</u>
1-14	<u>5</u>	<u>D.W. Tan</u>
1-15	<u>6</u>	<u>Ashok Dhingra</u>
1-16	<u>7</u>	<u>Nancy Phool Trikha</u>
1-17	<u>8</u>	<u>Fred Bhandara</u>
1-18	<u>9</u>	<u>Adrian K. Collins</u>

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the creation of the International Management District;
1-22 providing authority to levy an assessment, impose taxes, and issue
1-23 bonds.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. INTERNATIONAL MANAGEMENT DISTRICT. Subtitle C,
1-26 Title 4, Special District Local Laws Code, is amended by adding
1-27 Chapter 3836 to read as follows:

1-28 CHAPTER 3836. INTERNATIONAL MANAGEMENT DISTRICT

1-29 SUBCHAPTER A. GENERAL PROVISIONS

1-30 Sec. 3836.001. DEFINITIONS. In this chapter:

1-31 (1) "Board" means the board of directors of the
1-32 district.

1-33 (2) "District" means the International Management
1-34 District.

1-35 Sec. 3836.002. INTERNATIONAL MANAGEMENT DISTRICT.

1-36 (a) The International Management District is a special district
1-37 created under Section 59, Article XVI, Texas Constitution.

1-38 (b) The board by resolution may change the name of the
1-39 district.

1-40 Sec. 3836.003. PURPOSE; DECLARATION OF INTENT. (a) The
1-41 creation of the district is essential to accomplish the purposes of
1-42 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
1-43 Texas Constitution, and other public purposes stated in this Act.

1-44 (b) The creation of the district is necessary to promote,
1-45 develop, encourage, and maintain employment, commerce,
1-46 transportation, housing, tourism, recreation, the arts,
1-47 entertainment, economic development, safety, and the public
1-48 welfare in the area of the district.

1-49 (c) This chapter and the creation of the district may not be
1-50 interpreted to relieve Harris County or the City of Houston from
1-51 providing the level of services provided as of the effective date of
1-52 the Act enacting this chapter to the area in the district. The
1-53 district is created to supplement and not to supplant the county or
1-54 city services provided in the area in the district.

1-55 (d) By creating the district and in authorizing the City of
1-56 Houston, Harris County, and other political subdivisions to
1-57 contract with the district, the legislature has established a
1-58 program to accomplish the public purposes set out in Section 52-a,
1-59 Article III, Texas Constitution.

1-60 Sec. 3836.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

1-61 (a) The district is created to serve a public use and benefit.

1-62 (b) All land and other property included in the district

2-1 will benefit from the improvements and services to be provided by
2-2 the district under powers conferred by Sections 52 and 52-a,
2-3 Article III, and Section 59, Article XVI, Texas Constitution, and
2-4 other powers granted under this chapter.

2-5 (c) The creation of the district is in the public interest
2-6 and is essential to:

2-7 (1) further the public purposes of development and
2-8 diversification of the economy of the state; and

2-9 (2) eliminate unemployment and underemployment; and

2-10 (3) develop or expand transportation and commerce.

2-11 (d) The district will:

2-12 (1) promote the health, safety, and general welfare of
2-13 residents, employers, potential employees, employees, visitors,
2-14 and consumers in the district and of the public;

2-15 (2) provide needed funding for the district to
2-16 preserve, maintain, and enhance the economic health and vitality of
2-17 the district territory as a community and business center; and

2-18 (3) promote the health, safety, welfare, and enjoyment
2-19 of the public by providing pedestrian ways and by landscaping and
2-20 developing certain areas in the district, which are necessary for
2-21 the restoration, preservation, and enhancement of scenic beauty.

2-22 (e) Pedestrian ways along or across a street, whether at
2-23 grade or above or below the surface, and street lighting, street
2-24 landscaping, parking, and street art objects are parts of and
2-25 necessary components of a street and are considered to be a street
2-26 or road improvement.

2-27 (f) The district will not act as the agent or
2-28 instrumentality of any private interest even though the district
2-29 will benefit many private interests as well as the public.

2-30 Sec. 3836.005. DISTRICT TERRITORY. (a) The district is
2-31 composed of the territory described by Section 2 of the Act enacting
2-32 this chapter, as that territory may have been modified under:

2-33 (1) Subchapter J, Chapter 49, Water Code; or

2-34 (2) other law.

2-35 (b) The boundaries and field notes of the district contained
2-36 in Section 2 of the Act enacting this chapter form a closure. A
2-37 mistake in the field notes or in copying the field notes in the
2-38 legislative process, does not in any way affect the district's:

2-39 (1) organization, existence, or validity;

2-40 (2) right to issue any type of bonds for a purpose for
2-41 which the district is created or to pay the principal of and
2-42 interest on the bonds;

2-43 (3) right to impose or collect an assessment or tax; or

2-44 (4) legality or operation.

2-45 Sec. 3836.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
2-46 All or any part of the area of the district is eligible,
2-47 notwithstanding other statutory criteria, to be included in:

2-48 (1) a tax increment reinvestment zone created by a
2-49 municipality under Chapter 311, Tax Code;

2-50 (2) a tax abatement reinvestment zone created by a
2-51 municipality under Chapter 312, Tax Code; or

2-52 (3) an enterprise zone created by a municipality under
2-53 Chapter 2303, Government Code.

2-54 Sec. 3836.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
2-55 DISTRICTS LAW. Except as otherwise provided by this chapter,
2-56 Chapter 375, Local Government Code, applies to the district.

2-57 Sec. 3836.008. LIBERAL CONSTRUCTION OF CHAPTER. This
2-58 chapter shall be liberally construed in conformity with the
2-59 findings and purposes stated in this chapter.

2-60 [Sections 3836.009-3836.050 reserved for expansion]

2-61 SUBCHAPTER B. BOARD OF DIRECTORS

2-62 Sec. 3836.051. BOARD OF DIRECTORS; TERMS. (a) The
2-63 district is governed by a board of nine voting directors who serve
2-64 staggered terms of four years, with four or five directors' terms
2-65 expiring June 1 of each odd-numbered year.

2-66 (b) The board by resolution may change the number of voting
2-67 directors on the board, but only if the board determines that the
2-68 change is in the best interest of the district. The board may not
2-69 consist of fewer than five or more than 15 voting directors.

3-1 Sec. 3836.052. APPOINTMENT OF DIRECTORS. The mayor and
3-2 members of the governing body of the City of Houston shall appoint
3-3 voting directors from persons recommended by the board. A person is
3-4 appointed if a majority of the council and the mayor vote to appoint
3-5 that person.

3-6 Sec. 3836.053. NONVOTING DIRECTORS. (a) The following
3-7 persons serve as nonvoting directors:

3-8 (1) the directors of the following departments of the
3-9 City of Houston or a person designated by that director:

- 3-10 (A) parks and recreation;
- 3-11 (B) planning and development;
- 3-12 (C) public works; and
- 3-13 (D) civic center; and

3-14 (2) the City of Houston's chief of police.

3-15 (b) If a department described by Subsection (a) is
3-16 consolidated, renamed, or changed, the board may appoint a director
3-17 of the consolidated, renamed, or changed department as a nonvoting
3-18 director. If a department described by Subsection (a) is
3-19 abolished, the board may appoint a representative of another
3-20 department that performs duties comparable to those performed by
3-21 the abolished department.

3-22 Sec. 3836.054. QUORUM. For the purposes of determining the
3-23 requirements for a quorum of the board, the following are not
3-24 counted:

- 3-25 (1) a board position vacant for any reason, including
3-26 death, resignation, or disqualification;
- 3-27 (2) a director who is abstaining from participation in
3-28 a vote because of a conflict of interest; or
- 3-29 (3) a nonvoting director.

3-30 Sec. 3836.055. INITIAL VOTING DIRECTORS. (a) The initial
3-31 board consists of the following directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Ha Duong</u>
<u>2</u>	<u>Haroon R. Shaikh</u>
<u>3</u>	<u>Shiraz G. Ali</u>
<u>4</u>	<u>Wea H. Lee</u>
<u>5</u>	<u>D.W. Tan</u>
<u>6</u>	<u>Ashok Dhingra</u>
<u>7</u>	<u>Nancy Phool Trikha</u>
<u>8</u>	<u>Fred Bhandara</u>
<u>9</u>	<u>(Vacant)</u>

3-42 (b) Of the initial voting directors, the terms of directors
3-43 appointed for positions 1 through 5 expire June 1, 2007, and the
3-44 terms of directors appointed for positions 6 through 9 expire June
3-45 1, 2009.

3-46 (c) Section 3836.052 does not apply to this section.

3-47 (d) This section expires September 1, 2010.

3-48 [Sections 3836.056-3836.100 reserved for expansion]

3-49 SUBCHAPTER C. POWERS AND DUTIES

3-50 Sec. 3836.101. ADDITIONAL POWERS OF DISTRICT. The district
3-51 may exercise the powers given to a corporation under Section 4B,
3-52 Development Corporation Act of 1979 (Article 5190.6, Vernon's Texas
3-53 Civil Statutes), including the power to own, operate, acquire,
3-54 construct, lease, improve, or maintain projects described by that
3-55 section.

3-56 Sec. 3836.102. NONPROFIT CORPORATION. (a) The board by
3-57 resolution may authorize the creation of a nonprofit corporation to
3-58 assist and act for the district in implementing a project or
3-59 providing a service authorized by this chapter.

3-60 (b) The nonprofit corporation:

3-61 (1) has each power of and is considered for purposes of
3-62 this chapter to be a local government corporation created under
3-63 Chapter 431, Transportation Code; and

3-64 (2) may implement any project and provide any service
3-65 authorized by this chapter.

3-66 (c) The board shall appoint the board of directors of the
3-67 nonprofit corporation. The board of directors of the nonprofit
3-68 corporation shall serve in the same manner as the board of directors
3-69 of a local government corporation created under Chapter 431,

4-1 Transportation Code; provided that they need not live in the
4-2 district.

4-3 Sec. 3836.103. AGREEMENTS; GRANTS. (a) The district may
4-4 make an agreement with or accept a gift, grant, or loan from any
4-5 person.

4-6 (b) The implementation of a project is a governmental
4-7 function or service for the purposes of Chapter 791, Government
4-8 Code.

4-9 Sec. 3836.104. AUTHORITY TO CONTRACT FOR LAW ENFORCEMENT.
4-10 To protect the public interest, the district may contract with a
4-11 qualified party, including Harris County or the City of Houston to
4-12 provide law enforcement services in the district for a fee.

4-13 Sec. 3836.105. APPROVAL BY CITY OF HOUSTON. (a) Except as
4-14 provided by Subsection (c), the district must obtain the approval
4-15 of the City of Houston, by either official action of the governing
4-16 body of the city with respect to Subdivision (1) or through issuance
4-17 of a permit with respect to Subdivisions (2) and (3), for:

4-18 (1) the issuance of bonds for each improvement
4-19 project;

4-20 (2) the plans and specifications of the improvement
4-21 project financed by bonds; and

4-22 (3) the plans and specifications of any district
4-23 improvement project related to the use of land owned by the City of
4-24 Houston, an easement granted by the City of Houston, or a
4-25 right-of-way of a street, road, or highway.

4-26 (b) The approval obtained for the issuance of bonds under
4-27 Subsection (a) must be a resolution by the City of Houston. The
4-28 approval obtained for plans and specifications must be a permit
4-29 issued by the City of Houston.

4-30 (c) If the district obtains approval from the governing body
4-31 of the City of Houston for a capital improvements budget for a
4-32 period not to exceed five years, the district may finance the
4-33 capital improvements and issue bonds specified in the budget
4-34 without further approval from the City of Houston.

4-35 Sec. 3836.106. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
4-36 district may join and pay dues to an organization that:

4-37 (1) enjoys tax-exempt status under Section 501(c)(3),
4-38 (4), or (6), Internal Revenue Code of 1986; and

4-39 (2) performs a service or provides an activity
4-40 consistent with the furtherance of a district purpose.

4-41 Sec. 3836.107. ECONOMIC DEVELOPMENT PROGRAMS. The district
4-42 may establish and provide for the administration of one or more
4-43 programs to promote state or local economic development and to
4-44 stimulate business and commercial activity in the district,
4-45 including programs to:

4-46 (1) make loans and grants of public money; and

4-47 (2) provide district personnel and services.

4-48 (b) The district has all of the powers and authority of a
4-49 municipality under Chapter 380, Local Government Code.

4-50 Sec. 3836.108. NO EMINENT DOMAIN. The district may not
4-51 exercise the power of eminent domain.

4-52 [Sections 3836.109-3836.150 reserved for expansion]

4-53 SUBCHAPTER D. FINANCIAL PROVISIONS

4-54 Sec. 3836.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
4-55 board by resolution shall establish the number of directors'
4-56 signatures and the procedure required for a disbursement or
4-57 transfer of the district's money.

4-58 Sec. 3836.152. PETITION REQUIRED FOR FINANCING SERVICES AND
4-59 IMPROVEMENTS WITH ASSESSMENTS. (a) The district may acquire,
4-60 construct, finance, operate, and maintain any improvement or
4-61 service authorized pursuant to this Act or Chapter 375, Local
4-62 Government Code, using all funds available to the district. The
4-63 board may not finance a service or improvement project with
4-64 assessments under this chapter unless a written petition requesting
4-65 that service or improvement has been filed with the board.

4-66 (b) A petition filed under Subsection (a) may be dated
4-67 before or after the creation of the district and must be signed by:

4-68 (1) the owners of a majority of the assessed value of
4-69 real property in the district subject to assessment as determined

5-1 by the most recent certified tax appraisal roll for Harris County;
5-2 or

5-3 (2) at least 50 persons who own real property in the
5-4 district, if more than 50 persons own real property in the district
5-5 as determined by the most recent certified tax appraisal roll for
5-6 Harris County.

5-7 Sec. 3836.153. METHOD OF NOTICE FOR HEARING. The district
5-8 may mail the notice required by Section 375.115(c), Local
5-9 Government Code, by either certified or first class United States
5-10 mail, as determined by the board to give adequate notice. If first
5-11 class mail is used, such notice must additionally be published in a
5-12 newspaper of general circulation in the district at least 20 days
5-13 before the event of which the district is giving notice.

5-14 Sec. 3836.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.
5-15 (a) The board by resolution may impose and collect an assessment
5-16 in all or part of the district for any purpose authorized by this
5-17 chapter.

5-18 (b) An assessment, reassessment, or an assessment resulting
5-19 from an addition to or correction of the assessment roll by the
5-20 district, penalties and interest on an assessment or reassessment,
5-21 an expense of collection, and reasonable attorney's fees incurred
5-22 by the district:

5-23 (1) are a first and prior lien against the property
5-24 assessed;

5-25 (2) are superior to any other lien or claim other than
5-26 a lien or claim for county, school district, or municipal ad valorem
5-27 taxes; and

5-28 (3) are the personal liability of and charge against
5-29 the owners of the property even if the owners are not named in the
5-30 assessment proceedings.

5-31 (c) The lien is effective from the date of the board's
5-32 resolution imposing the assessment until the date the assessment is
5-33 paid. The board may enforce the lien in the same manner that the
5-34 board may enforce an ad valorem tax lien against real property.

5-35 (d) The board may make a correction to or a deletion from the
5-36 assessment roll that does not increase the amount of assessment of
5-37 any parcel of land without providing notice and holding a hearing in
5-38 the manner required for additional assessments.

5-39 (e) An assessment levied by the board based upon the taxable
5-40 value of the property to be assessed may not exceed \$0.12 per \$100
5-41 taxable assessed valuation as determined by the Harris County
5-42 Appraisal District or its successor.

5-43 Sec. 3836.155. AD VALOREM TAX. (a) If authorized at an
5-44 election held in accordance with Section 3836.159, the district may
5-45 impose an annual ad valorem tax on taxable property in the district
5-46 for any purpose, including to:

5-47 (1) maintain and operate the district;

5-48 (2) construct or acquire improvements; or

5-49 (3) provide a service.

5-50 (b) The board shall determine the tax rate; provided that
5-51 the board shall not be authorized to levy an ad valorem tax under
5-52 this section in excess of the maximum rate specified in the
5-53 proposition authorizing the tax.

5-54 Sec. 3836.156. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
5-55 ASSESSMENTS. (a) The district may not impose an impact fee or
5-56 assessment on the property, including the equipment, rights of way,
5-57 facilities, or improvements of:

5-58 (1) an electric utility or a power generation company
5-59 as defined by Section 31.002, Utilities Code;

5-60 (2) a gas utility as defined by Section 101.003 or
5-61 121.001, Utilities Code;

5-62 (3) a telecommunications provider as defined by
5-63 Section 51.002, Utilities Code; or

5-64 (4) a person who provides to the public cable
5-65 television or advanced telecommunications services.

5-66 (b) If the district, in the exercise of the powers conferred
5-67 on it by this Act, requires or requests the relocation, rerouting,
5-68 or removal of electric, gas, water, sewer, communications, or other
5-69 public utilities, as defined by Section 31.002, 101.003, 121.001,

6-1 or 51.002, Utilities Code, the relocation, rerouting, or removal
6-2 shall be at the sole expense of the district.

6-3 Sec. 3836.157. BONDS AND OTHER OBLIGATIONS. (a) The
6-4 district may issue bonds or other obligations, payable wholly or
6-5 partly from ad valorem taxes, assessments, impact fees, revenue,
6-6 grants, or other money of the district, or any combination of those
6-7 sources of money, to pay for any authorized purpose of the district.

6-8 (b) In exercising the district's power to borrow, the
6-9 district may issue a bond or other obligation in the form of a bond,
6-10 note, certificate of participation or other instrument evidencing a
6-11 proportionate interest in payments to be made by the district, or
6-12 other type of obligation.

6-13 Sec. 3836.158. TAXES FOR BONDS AND OTHER OBLIGATIONS. At
6-14 the time bonds or other obligations payable wholly or partly from ad
6-15 valorem taxes are issued:

6-16 (1) the board shall impose a continuing direct annual
6-17 ad valorem tax, without limit as to rate or amount, for each year
6-18 while all or part of the bonds are outstanding; and

6-19 (2) the district annually shall impose an ad valorem
6-20 tax on all taxable property in the district in an amount sufficient
6-21 to:

6-22 (A) pay the interest on the bonds or other
6-23 obligations as the interest becomes due;

6-24 (B) create a sinking fund for the payment of the
6-25 principal of the bonds or other obligations when due or the
6-26 redemption price at any earlier required redemption date; and

6-27 (C) pay the expenses of imposing the taxes.

6-28 Sec. 3836.159. TAX AND BOND ELECTIONS. (a) The district
6-29 shall hold an election in the manner provided by Subchapter L,
6-30 Chapter 375, Local Government Code, to obtain voter approval before
6-31 the district imposes an ad valorem tax or issues bonds payable from
6-32 ad valorem taxes.

6-33 (b) Section 375.243, Local Government Code, does not apply
6-34 to the district.

6-35 Sec. 3836.160. CITY NOT REQUIRED TO PAY DISTRICT
6-36 OBLIGATIONS. Except as provided by Section 375.263, Local
6-37 Government Code, the City of Houston is not required to pay a bond,
6-38 note, or other obligation of the district.

6-39 Sec. 3836.161. COMPETITIVE BIDDING. Section 375.221, Local
6-40 Government Code, applies to the district only for a contract that
6-41 has a value greater than \$25,000.

6-42 Sec. 3836.162. TAX AND ASSESSMENT ABATEMENTS. The district
6-43 may grant, in the manner authorized by Chapter 312, Tax Code, an
6-44 abatement for a tax or assessment owed to the district.

6-45 [Sections 3836.163-3836.200 reserved for expansion]

6-46 SUBCHAPTER E. DISSOLUTION

6-47 Sec. 3836.201. DISSOLUTION OF DISTRICT WITH OUTSTANDING
6-48 DEBT. (a) The board may dissolve the district regardless of
6-49 whether the district has debt. Section 375.264, Local Government
6-50 Code, does not apply to the district.

6-51 (b) If the district has debt when it is dissolved, the
6-52 district shall remain in existence solely for the purpose of
6-53 discharging its debts. The dissolution is effective when all debts
6-54 have been discharged.

6-55 SECTION 2. BOUNDARIES. As of the effective date of this
6-56 Act, the International Management District includes all territory
6-57 contained in the following described area:

6-58 Beginning at the intersection of the South Right of Way of
6-59 Bellaire Boulevard and the East Right of Way of Beltway 8,

6-60 Thence South along the East Right of Way of Beltway 8 to the
6-61 South Right of Way of Highway 59, and at that intersection, crossing
6-62 the Right of Way of Beltway 8 to the North Right of Way of Highway 59
6-63 following Southwest to the North Right of Way of West Bellfort,

6-64 Thence West along the North Right of Way of West Bellfort to
6-65 the East Right of Way of Landsbury,

6-66 Thence North along the East Right of Way of Landsbury to the
6-67 South Right of Way of Stancliff,

6-68 Thence East along the South Right of Way of Stancliff to the
6-69 West Right of Way of Wilcrest,

- 7-1 Thence North along the West Right of Way of Wilcrest to the
7-2 South Right of Way of South Street,
7-3 Thence West along the South Right of Way of South Street to
7-4 the West Right of Way of Leawood Boulevard,
7-5 Thence North along the West Right of Way of Leawood Boulevard
7-6 to the South Right of Way of Bissonnet,
7-7 Thence West along the South Right of Way of Bissonnet for a
7-8 distance of 2,085 to the North East Corner of a 2.02 acre parcel,
7-9 (Utility Eastment)
7-10 Thence South for a distance of 2,203 feet along the East line
7-11 of a 2.02 acre parcel,
7-12 Thence West along a drainage easement for a total distance of
7-13 5,960 feet crossing the 2.02 acre parcel following the South line of
7-14 a 2.02 acre parcel crossing the Right of Way of Grove Glen; then
7-15 continuing west along the South line of a .82 acre parcel; then
7-16 continuing west along the South line of a .13 acre parcel; crossing
7-17 the Right of Way of Kirkwood, then continuing west along the South
7-18 line of a 1.3 acre parcel; crossing the Right of Way of Keegan Road;
7-19 then continuing west along the South line of a 1.13 acre parcel;
7-20 crossing the Right of Way of Cook Road; then continuing west along
7-21 the South line of a .77 acre parcel to the East Right of Way of
7-22 Huntington Place,
7-23 Thence South along the East Right of Way of Huntington Place
7-24 to the West Right of Way of Dairy Ashford,
7-25 Thence North along the West Right of Way of Dairy Ashford to
7-26 the North Right of Way of Beechnut,
7-27 Thence East along the North Right of Way of Beechnut to the
7-28 West Right of Way of Wilcrest,
7-29 Thence North along the West Right of Way of Wilcrest to the
7-30 South Right of Way of Stroud,
7-31 Thence West along the South Right of Way of Stroud to the East
7-32 Right of Way of Baneway,
7-33 Thence South along the East Right of Way of Baneway to the
7-34 South Right of Way of Sandstone,
7-35 Thence West along the South Right of Way of Sandstone to the
7-36 West Right of Way of Bellglen,
7-37 Thence North along the West Right of Way of Bellglen to the
7-38 South Right of Way of Stroud,
7-39 Thence West along the South Right of Way of Stroud to the East
7-40 Right of Way of Kirkwood,
7-41 Thence South along the East Right of Way of Kirkwood for a
7-42 distance of 134 feet,
7-43 Thence West crossing the Right of Way of Kirkwood following
7-44 the South Right of Way of Stroud to the East Right of Way of Jetty,
7-45 Thence South along the East Right of Way of Jetty for a
7-46 distance of 134 feet,
7-47 Thence West crossing the Right of Way of Jetty following the
7-48 South Right of Way of Sharpview to the East Right of Way of Cook
7-49 Road,
7-50 Thence South along the East Right of Way of Cook Road for a
7-51 distance of 447 feet,
7-52 Thence West crossing the Right of Way of Cook Road following
7-53 the South Right of Way of Sandstone to the West Right of Way of
7-54 Crownwest,
7-55 Thence North along the West Right of Way of Crownwest to the
7-56 South Right of Way of Sharpview,
7-57 Thence West along the South Right of Way of Sharpview as it
7-58 turns until it reaches the West Right of Way of Treewater,
7-59 Thence North along the West Right of Way of Treewater to the
7-60 South Right of Way of Sharpview,
7-61 Thence West along the South Right of Way of Sharpview to the
7-62 East Right of Way of Valvwind,
7-63 Thence South along the East Right of Way of Valvwind to the
7-64 South Right of Way of Wispwind,
7-65 Thence West along the South Right of Way of Wispwind to the
7-66 West Right of Way of Dairy Ashford,
7-67 Thence North along the West Right of Way of Dairy Ashford to
7-68 the South Right of Way of Leader,
7-69 Thence West along the South Right of Way of Leader to the West

8-1 Right of Way of Synott,
8-2 Thence North along the West Right of Way of Synott to the
8-3 South Right of Way of Bellaire Boulevard,
8-4 Thence West along the South Right of Way of Bellaire
8-5 Boulevard to the West line of the City of Houston City Limits,
8-6 Thence North for a distance of 1,264 feet along the West line
8-7 of the City of Houston City Limits to the Northwest Corner of a 23.7
8-8 acre parcel,
8-9 Thence East following the North line of a 23.7 acre parcel
8-10 crossing the Right of Way of Synott following the North Right of Way
8-11 of Clarewood to the West line of a 2.1 acre parcel,
8-12 Thence North for a distance of 30 feet along the West line of
8-13 a 2.1acre parcel to the Northwest corner of said 2.1 acre parcel,
8-14 Thence East for a distance of 9,174 feet following the North
8-15 line of a 2.1 acre parcel, crossing the Right of Way of Dairy
8-16 Ashford, then continuing east along the North line of a 3.05 acre
8-17 parcel, crossing the Right of Way of Cook Road, then continuing east
8-18 along the North line of a 4.03 acre parcel, then continuing east
8-19 along North line of a 6.27 acre parcel, crossing the Right of Way of
8-20 Kirkwood, then continuing east along the North line of a 6.77 acre
8-21 parcel, then continuing east along the North line of a .51 acre
8-22 parcel, crossing the Right of Way of Belle Park, then continuing
8-23 east along the North line of a .77 acre parcel to the East right of
8-24 Way of Brays Bayou,
8-25 Thence Southeast along the North Right of Way of Brays Bayou
8-26 until it crosses the Right of Way of Bellaire Boulevard to the South
8-27 Right of Way of Bellaire Boulevard,
8-28 Thence East along the South Right of Way of Bellaire
8-29 Boulevard to the East Right of Way of Beltway 8, to the Point of
8-30 Beginning.
8-31 SAVE AND EXCEPT the following parcel, identified by its Harris
8-32 County Appraisal District account number: 1107380000001 Res B Blk
8-33 2 Westhampton Place.

8-34 SECTION 3. LEGISLATIVE FINDINGS. The legislature finds
8-35 that:

8-36 (1) proper and legal notice of the intention to
8-37 introduce this Act, setting forth the general substance of this
8-38 Act, has been published as provided by law, and the notice and a
8-39 copy of this Act have been furnished to all persons, agencies,
8-40 officials, or entities to which they are required to be furnished by
8-41 the constitution and laws of this state, including the governor,
8-42 who has submitted the notice and Act to the Texas Commission on
8-43 Environmental Quality;

8-44 (2) the Texas Commission on Environmental Quality has
8-45 filed its recommendations relating to this Act with the governor,
8-46 lieutenant governor, and speaker of the house of representatives
8-47 within the required time;

8-48 (3) the general law relating to consent by political
8-49 subdivisions to the creation of districts with conservation,
8-50 reclamation, and road powers and the inclusion of land in those
8-51 districts has been complied with; and

8-52 (4) all requirements of the constitution and laws of
8-53 this state and the rules and procedures of the legislature with
8-54 respect to the notice, introduction, and passage of this Act have
8-55 been fulfilled and accomplished.

8-56 SECTION 4. EFFECTIVE DATE. This Act takes effect
8-57 immediately if it receives a vote of two-thirds of all the members
8-58 elected to each house, as provided by Section 39, Article III, Texas
8-59 Constitution. If this Act does not receive the vote necessary for
8-60 immediate effect, this Act takes effect September 1, 2005.

8-61 * * * * *